

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

December 20, 2011
BCO-036

No. 11-8097

GABRIEL JOSEPH CARRERA,
on behalf of himself and all others similarly situated,
Respondent

v.

BAYER CORPORATION;
BAYER HEALTHCARE, LLC,
Petitioners

(D.N.J. No. 2-08-cv-04716)

Present: SCIRICA, SMITH, and CHAGARES, Circuit Judges

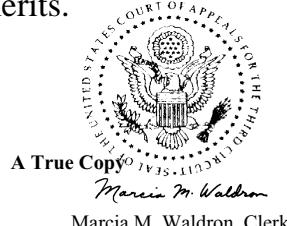
1. Petition for Permission to Appeal Pursuant to Fed. R. Civ. P. 23(f) by Petitioners Bayer Corporation and Bayer Healthcare.
2. Response by Respondent Gabriel Joseph Carrera to Petition for Permission To Appeal Pursuant to Fed.R. Civ. P. 23(f).

Respectfully,
Clerk/arl

ORDER

The foregoing petition for leave to appeal pursuant to Fed. R. Civ. P. 23(f) is hereby granted. The Clerk is directed to forward a copy of this order to the U.S. District Court for the District of New Jersey to serve as the notice of appeal. Petitioners are directed to pay the docketing and filing fee in the District Court within 14 days from the date of this order. Provided that the filing and docketing fee is paid, the action will be transferred from this Court's miscellaneous docket, opened as an appeal on the Court's general docket, and a briefing schedule will be issued. Once briefing in the appeal has been completed, the matter will be assigned to the panel of Judges Scirica, Smith, and Chagares for disposition on the merits.

By the Court,



/s/ Anthony J. Scirica
Circuit Judge

Dated: May 31, 2012

Certified order issued in lieu of mandate.

ARL/cc: RWB; LAD; TID; MRF; JLH; CDL; SFW; JEC; DAE; LHT